

EMPLOYMENT OF AN ATRS RETIREE BY A PARTICIPATING EMPLOYER

A.C.A. § 24-7-202(27), A.C.A. § 24-7-502, and A.C.A. § 24-7-708

DEFINITIONS

1. **Salary** means remuneration paid from a participating employer to an ATRS member on which the employer withholds federal income taxes including pretax contributions to a qualified retirement plan. For salary paid other than in cash, such as a vehicle allowance, salary is the amount reported to the IRS for income tax purposes.
2. **Normal retirement age** means sixty-five (65) years of age.
3. **Participating employer** means an employer who participates in the Arkansas Teacher Retirement System whose employees are eligible for membership under A.C.A. § 24-7-501 or other applicable law.
4. **Retiree** means a member receiving an ATRS retirement annuity.
5. **Retires** means that a member ceases to be active and is eligible to receive an ATRS annuity.

REGULATIONS

1. Upon acceptance of employment with a participating employer, the retiree and employer must report to ATRS the employment of the retiree on the forms and reports as required by the System.
2. Employers will report all retirees who are employed by a participating employer on the retirement reports filed by employers.
3. Effective July 1, 2009, no earnings limitation shall apply to retirees who become employed with participating employers.
4. Effective July 1, 2009, a participating employer employing an ATRS retiree shall remit the employer contribution rate for salaries paid to all retirees at the rate in effect for active members for the fiscal year.
5. When a retiree becomes employed by a participating employer and does not rescind his/her retirement, the retiree shall not accrue additional service credit, and no member contributions should be withheld or paid to the System.

6. For the return to work rules applicable to disability retirees receiving benefits under A.C.A. § 24-7-704, see Policy No. 9-4 (Disability Retirement).

Amended: June 15, 2004
July 18, 2005
October 4, 2005
December 6, 2005
June 19, 2007
February 11, 2008
June 16, 2009 (Emergency)
October 5, 2009 (Permanent)